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09/718,868	11/20/2000	Jeffrey G. Ort	41003.P038	2260

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EXAMINER

WANG, JIN CHENG

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 11/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/718,868

Applicant(s)

ORT ET AL.

Examiner

Jin-Cheng Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/20/2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15, 16, 18, 19, 21-34, 36, 37, 39, 40 and 42 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) _____ is/are allowed.

- 6) ☒ Claim(s) 1-13, 15, 16, 18, 19, 21-34, 36, 37, 39, 40 and 42 is/are rejected.

- 7) ☐ Claim(s) _____ is/are objected to.

- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other:

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DETAILED ACTION

Response to Amendment

1. The amendment filed on 05/20/2003 has been entered. Claims 14, 17, 20, 35, 38 and 41 have been canceled. Claims 13, 16, 19, 23, 34, 37 and 40 have been amended. After further consideration, the examiner withdraws the restriction requirement set forth in the previous Office Action.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Determine Screen Area ~ 402. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The applicant or their representatives are urged to review the specification for all mistakes of a clerical or typographical nature. Correction is required. See MPEP § 608.01(b).

4. The disclosure is objected to because of the following informalities: On line 3 of claim 5 of the amendment A, “periodically checking to determining” should be “periodically checking to determine”. Appropriate correction is required. On lines 3 and 5 of claim 10(13, 16, or 19) of the amendment A, “non-block” should be “non-blocking”. Appropriate correction of all mistakes is required.

Claim Objections

5. Claim 5 is objected to because of the following informalities: On line 3 of claim 5, “periodically checking to determining” should be “periodically checking to determine”.

Appropriate correction is required.

6. Claim 10 is objected to because of the following informalities: On lines 3 and 5 of claim 10, “non-block” should be “non-blocking”. Appropriate correction is required.

7. Claims 13, 16 and 19 are objected to because of the following informalities: On lines 3 and 5 of claim 13 (16 or 19), “non-block” should be “non-blocking”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-13, 15-16, 18, 22-34, 36-37 and 39 are rejected under 35 U.S.C. 102(e) as being fully anticipated by Gough et al. U.S. Patent No. 5,638,501 (hereinafter Gough).

10. Claim 1:

Gough teaches a method comprising:

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copying and saving first pixel values corresponding to a first display screen area (e.g., column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17);

blending the copied first pixel values with second pixel values to generate third pixel values (e.g., column 11, lines 10-67; column 12, lines 1-17);

replacing the original first pixel values with the third pixel values to effectuate display of a non-blocking always visible display (e.g., column 11, lines 10-67; column 12, lines 1-17);

monitoring for display operations that impact the first display screen area (e.g., column 11, lines 10-67; column 12, lines 1-17);

upon detection of such a display operation, replacing said third pixel values with said first pixel values using said saved first pixel values (e.g., figures 6a-16; column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17);

upon completion of the detected operation, copying and saving fourth pixel values corresponding to the first display screen area (e.g., figures 6a-16; column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17);

blending the copied fourth pixel values with said second pixel values to generate fifth pixel values (e.g., figures 6a-16; column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17);

replacing the original fourth pixel values with the fifth pixel values to sustain the non-blocking always visible characteristic of the non-blocking always visible display (e.g., figures

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6a-16; column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17).

Claim 2:

The claim 2 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of marking a buffer holding said third/fifth pixel values changed and periodically checking to determine if said buffer has been marked changed.

However, Gough further discloses the claimed limitation of marking a buffer holding said third/fifth pixel values changed and periodically checking to determine if said buffer has been marked changed (e.g., column 11, lines 10-67; column 12, lines 1-67).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of intercepting invocations of display screen memory operations; and determining if targeted display screen areas of the display screen memory operations being invoked intersect with said first screen display area.

However, Gough further discloses the claimed limitation of intercepting invocations of display screen memory operations; and determining if targeted display screen areas of the display screen memory operations being invoked intersect with said first screen display area (e.g., column 7, lines 1-22; column 11, lines 10-67; column 12, lines 1-17).

Claim 4:

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The claim 4 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of intercepting cursor events associated with said first display screen area; and determining whether the cursor events are to be handled by an application program associated with said non-blocking always visible display or an application program associated with an underlying display window.

However, Gough further discloses the claimed limitation of intercepting cursor events associated with said first display screen area; and determining whether the cursor events (e.g., (e.g., screen inputs; the menu bar; icons; column 5, lines 5-15; column 5, lines 48-63) are to be handled by an application program associated with said non-blocking always visible display or an application program associated with an underlying display window (e.g., column 7, lines 1-67; column 8, lines 1-60; column 11, lines 10-67; column 12, lines 1-17).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 4 except additional claimed limitation of each of said blending being performed in accordance with a then current blending setting, and determining if the current blending setting is greater than a predetermined threshold, favoring contents of said non-blocking always visible display.

However, Gough further discloses the claimed limitation of each of said blending being performed in accordance with a then current blending setting, and determining if the current blending setting is greater than a predetermined threshold, favoring (e.g., transparent versus translucent; column 6, lines 50-64; favoring the underlying display window in alpha blending with the multiplier alpha less than 0.5 being applied to the underlying display window; column

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10, lines 23-41) contents of said non-blocking always visible display (e.g., column 7, lines 1-67; column 8, lines 1-60; column 11, lines 10-67; column 12, lines 1-17).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of said non-blocking always visible display being a selected one of an on-line data monitor, a tool bar, a logo/mark, and an animated assistant.

However, Gough further discloses the claimed limitation of said non-blocking always visible display being a selected one of an on-line data monitor, a tool bar, a logo/mark, and an animated assistant (e.g., column 5, lines 5-65; column 5, lines 50-64; column 7, lines 1-67; column 8, lines 1-60; column 11, lines 10-67; column 12, lines 1-17).

11. Claim 7:

Gough teaches a method comprising:

copying and saving first pixel values corresponding to a first display screen area (e.g., column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17);

blending the copied first pixel values with second pixel values to generate third pixel values (e.g., column 11, lines 10-67; column 12, lines 1-17);

replacing the original first pixel values with the third pixel values to effectuate display of a non-blocking always visible display (e.g., column 11, lines 10-67; column 12, lines 1-17);

intercepting cursor events associated with said first display screen area (e.g., column 11, lines 10-67; column 12, lines 1-17);

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determining whether the cursor events (e.g., column 5, lines 5-65; column 5, lines 50-64; column 7, lines 1-67) are to be handled by an application program associated with said non-blocking always visible display or an application program associated with an underlying display window, based at least in part on a current blending bias (e.g., transparent versus translucent; column 6, lines 50-64; favoring the underlying display window in alpha blending with the multiplier alpha less than 0.5 being applied to the underlying display window; column 10, lines 23-41) between said non-blocking always visible display and said underlying display windows (e.g., figures 6a-16; column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17).

Claims 8-9:

The claim 8(9) encompasses the same scope of invention as that of claim 7 except additional claimed limitation as recited in claim 5(6). The claim is rejected for the same reasons set forth in claim 5(6).

12. Claim 10:

Gough teaches a method comprising:

copying and saving first pixel values corresponding to a first display screen area on which a non-block always visible on-line data monitor is to be rendered (e.g., column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17);

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blending the copied first pixel values with second pixel values corresponding to the non-blocking always visible on-line data monitor to generate third pixel values (e.g., column 11, lines 10-67; column 12, lines 1-17); and

replacing the original first pixel values with the third pixel values to effectuate display of the on-line data monitor with the non-blocking always visible attribute to provide visual differentiation between said on-line data monitor and underlying display windows associated with locally executed application programs (e.g., figures 7-12; column 6, lines 50-64; column 11, lines 10-67; column 12, lines 1-17).

Claim 11:

The claim 11 encompasses the same scope of invention as that of claim 10 except additional claimed limitation of monitoring for display operations that impact the first display screen;

upon detection of such a display operation, replacing said third pixel values with said first pixel values using said saved first pixel values;

upon completion of the detected operation, copying and saving fourth pixel values corresponding to the first display screen area;

blending the copied fourth pixel values with said second pixel values to generate fifth pixel values;

replacing the original fourth pixel values with the fifth pixel values to sustain the non-blocking always visible characteristic of the non-blocking always visible display.

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However, Gough further discloses the claimed limitation of monitoring for display operations that impact the first display screen area (e.g., figures 6a-16; column 11, lines 10-67; column 12, lines 1-17);

upon detection of such a display operation, replacing said third pixel values with said first pixel values using said saved first pixel values (e.g., figures 6a-16; column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17);

upon completion of the detected operation, copying and saving fourth pixel values corresponding to the first display screen area (e.g., figures 6a-16; column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17);

blending the copied fourth pixel values with said second pixel values to generate fifth pixel values (e.g., figures 6a-16; column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17);

replacing the original fourth pixel values with the fifth pixel values to sustain the non-blocking always visible characteristic of the non-blocking always visible display (e.g., figures 6a-16; column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17).

Claim 12:

The claim 12 encompasses the same scope of invention as that of claim 10 except additional claim limitation of intercepting cursor events associated with said first display screen area and determining whether the cursor events are to be handled by an application program

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associated with said non-blocking always visible display or an application program associated with an underlying display window, based at least in part on a current blending bias between said non-blocking always visible display and said underlying display windows.

However, Gough further discloses the claim limitation of intercepting cursor events associated with said first display screen area (e.g., column 11, lines 10-67; column 12, lines 1-17) and determining whether the cursor events (e.g., screen inputs; the menu bar; icons; column 5, lines 5-15; column 5, lines 48-63) are to be handled by an application program associated with said non-blocking always visible display or an application program associated with an underlying display window, based at least in part on a current blending bias (e.g., transparent versus translucent; column 6, lines 50-64; favoring the underlying display window in alpha blending with the multiplier alpha less than 0.5 being applied to the underlying display window; column 10, lines 23-41) between said non-blocking always visible display and said underlying display windows (e.g., column 6, lines 50-67; column 7, lines 1-67; column 8, lines 1-67; column 9, lines 1-67; column 10, lines 1-22; column 11, lines 10-67; column 12, lines 1-17).

13. Claims 13 and 15:

The claim 13(15) encompasses the same scope of invention as that of claim 1(7 and 9).
The claims are subject to same reasons set forth in claims 1(7 and 9).

14. Claims 16 and 18:

The claim 16(18) encompasses the same scope of invention as that of claim 1(7 and 9).
The claims are subject to same reasons set forth in claims 1(7 and 9).

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15. Claims 22-27:

The claim 22(23-27) encompasses the same scope of invention as that of claims 1(2-6) except the additional claim limitation of an apparatus. However, Gough further discloses the claim limitation of an apparatus (e.g., figure 1; column 4-5).

16. Claims 28-30:

The claim 28(29-30) encompasses the same scope of invention as that of claims 7(8-9) except the additional claim limitation of an apparatus. However, Gough further discloses the claim limitation of an apparatus (e.g., figure 1; column 4-5).

17. Claims 31-33:

The claim 31(32-33) encompasses the same scope of invention as that of claims 10(11-13) except the additional claim limitation of an apparatus. However, Gough further discloses the claim limitation of an apparatus (e.g., figure 1; column 4-5).

18. Claims 34 and 36:

The claim 34(36) encompasses the same scope of invention as that of claims 13(15) except the additional claim limitation of an apparatus. However, Gough further discloses the claim limitation of an apparatus (e.g., figure 1; column 4-5).

19. Claims 37 and 39:

The claim 37(39) encompasses the same scope of invention as that of claims 16(18) except the additional claim limitation of an apparatus. However, Gough further discloses the claim limitation of an apparatus (e.g., figure 1; column 4-5).

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20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claims 19, 21, 40 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gough et al. U.S. Patent No. 5,638,501 (hereinafter Gough) in view of Jaaskelainen, U.S. Patent No. 6,002,397 (hereinafter Jaaskelainen).

Gough discloses most of the features included in claims 19 and 21, but lacks full disclosure of some additional features as recited in these Claims. However, these additional features are described in the Jaaskelainen reference, wherein the methods of: copying and saving first pixel values corresponding to a first display screen area on which a non-blocking always visible animated assistant is to be rendered. The Jaaskelainen reference describes a navigational aid that is presented to a user in a popup window list (Col. 14, Lines 38-41). The automated assistant (automatic help tool) is described in the reference at Col. 14, Lines 41-45 wherein the user can traverse a window in conjunction with blended or non-blended windows/image hierarchy, wherein the user is shown which window the pointer icon (automatic help tool) was currently located. A special window or portion of the window list, as described above, can display the window. If the use of an automated assistant was combined with the same blending method as described in Gough, then an automated assistant could be employed together in an always-visible display screen. Such a combination would have been obvious when automated assistants in a graphical user interface that allows for an always-visible display screen is the objective.

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22. Claims 40 and 42:

The claim 40(42) encompasses the same scope of invention as that of claims 19(21) except the additional claim limitation of an apparatus. However, Gough further discloses the claim limitation of an apparatus (e.g., figure 1; column 4-5).


Conclusion

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
October 22, 2003



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600